

United States District Court

District of Oregon

United States of America,

Plaintiff,

No. 1:17-CR-00126-AA-1

v.

Michael Edmund Dangerfield,

Defendant

ORDER RE: MOTION TO
REDUCE SENTENCE
PURSUANT TO 18 U.S.C.
§ 3582(c)(1)(A)(i)
(COMPASSIONATE
RELEASE)

THIS MATTER came before the Court on Defendant's Motion to Reduce Sentence pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) (Compassionate Release).

Under § 3582(c)(1)(A), a court may reduce a defendant's sentence if it finds that two conditions are met: (1) that "[e]xtraordinary and compelling reasons warrant such a reduction" and (2) "that such a reduction is consistent with applicable policy statements issued by the Sentencing Commission." If the court finds that those conditions are met, before granting a sentence reduction, it must "consider[] the factors set forth in [18 U.S.C.] § 3553(a) to the extent applicable[.]" 18 U.S.C. § 3582(c)(1)(A); *see also United States v. Keller*, 2 F.4th 1278, 1284 (9th Cir. 2021) (per curiam) ("[A]lthough a district court must perform this sequential inquiry before it *grants* compassionate release, a district court that properly *denies* compassionate release need not evaluate each step."). The Sentencing Commission's policy statement regarding sentence reductions under § 3582(c)(1)(A) is found at U.S.S.G. § 1B1.13.

On a defendant's direct motion for compassionate release, the policy statement "may inform a district court's discretion . . . but [it is] not binding." *United States v. Aruda*, 993 F.3d 797, 802 (9th Cir. 2021). As a result, the court may consider any extraordinary and compelling reason for release that a defendant might raise. *Id.*

The Court finds that defendant has established extraordinary and compelling reasons to warrant a reduction of defendant's sentence under 18 U.S.C. § 3582(c)(1)(A)(i). Defendant's motion is therefore GRANTED, and defendant's sentence of imprisonment is reduced to time served. Defendant shall be immediately released to his parents' residence located at 16962 Redwood Highway, Selma, Oregon 97538 on a temporary basis to allow him to clear his state court warrant and until a bed becomes available at the Residential Re-entry Center.

IT IS SO ORDERED.

Dated this 22nd day of February 2023.

/s/Ann Aiken
Ann Aiken
United States District Court Judge